

visa or permanent residence to Shirley Constantino Tan, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Shirley Constantino Tan under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Shirley Constantino Tan under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) **PAYGO.**—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4863. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4864. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4865. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4863. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G title V, add the following:

SEC. 596. PROHIBITION ON DISCHARGING OR WITHHOLDING PAY OR BENEFITS FROM NATIONAL GUARD MEMBERS BASED ON COVID-19 VACCINATION STATUS.

(a) **IN GENERAL.**—The Secretary of Defense shall not, based on whether or not a member of the National Guard has received a COVID-19 vaccine, take any of the following actions:

(1) Involuntarily discharge or discipline the member under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) Withhold pay or benefits from the member.

(3) Prohibit the member from participating in training or using equipment funded by amounts appropriated by an Act of Congress.

(b) **PAY AND BENEFITS INCLUDED.**—The pay and benefits referred to in subsection (a)(2) include the following:

(1) Basic pay and special pay under title 37, United States Code, or title 10, United States Code.

(2) Medical and dental care under chapter 55 of title 10, United States Code.

(3) Transitional health benefits under section 1145 of such title.

(4) Commissary and exchange benefits under section 1146 of such title.

SA 4864. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

TITLE XXXV—MARITIME MATTERS **Subtitle A—Maritime Administration**

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2022, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, \$90,532,000, of which—

(A) \$85,032,000, to remain available until September 30, 2023, shall be for Academy operations; and

(B) \$5,500,000, to remain available until expended, shall be for facilities maintenance and repair and equipment.

(2) For expenses necessary for operations, support, and training activities for the State maritime academies, \$50,780,000, of which—

(A) \$2,400,000, to remain available until September 30, 2026, shall be for the Student Incentive Program;

(B) \$6,000,000, to remain available until September 30, 2023, shall be for direct payments for State maritime academies;

(C) \$3,800,000, to remain available until expended, shall be for training ship fuel assistance;

(D) \$8,080,000, to remain available until expended, shall be for offsetting the costs of training ship sharing; and

(E) \$30,500,000, to remain available until expended, shall be for maintenance and repair, of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, \$315,600,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, \$81,853,000, of which—

(A) \$10,000,000, to remain available until expended, shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code;

(B) \$11,000,000, to remain available until expended, shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code; and

(C) \$60,853,000, to remain available until September 30, 2022, shall be for headquarters operations expenses.

(5) For expenses necessary for the disposal of vessels in the National Defense Reserve

Fleet of the Maritime Administration, \$10,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States-flag merchant fleet to serve the national security needs of the United States, as authorized under chapter 531 of title 46, United States Code, \$318,000,000, which shall remain available until expended.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, \$33,000,000, of which—

(A) \$30,000,000, to remain available until expended, shall be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) \$3,000,000, to remain available until expended, may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide for the Tanker Security Fleet, as authorized under chapter 534 of title 46, United States Code, \$60,000,000, which shall remain available until expended.

(9) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, \$40,000,000, which shall remain available until expended.

(10) For expenses necessary to implement the Port and Intermodal Improvement Program, \$750,000,000, to remain available until expended, except that no such funds may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary determines such equipment would result in a net loss of jobs within a port of port terminal.

Subtitle B—Other Matters

SEC. 3511. EXPANDING THE MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

(a) **MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.**—From the amount appropriated under section 3501(1)(A), not more than 60 percent shall be reserved for activities related to technologies that support port and vessel air emissions reductions and to support zero emissions technologies, including identification of new fuel or other power sources.

(b) **USES.**—Section 50307 of title 46, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e) **USES.**—The results of activities conducted under subsection (b)(1) shall be used to inform the policy decisions of the United States related to domestic regulations and to the United States position on matters before the International Maritime Organization.”.

SEC. 3512. SUSTAINABLE PORT INFRASTRUCTURE.

(a) **SHORT TITLE.**—This section may be cited as the “Sustainable Port Infrastructure Act”.

(b) **PORT DEVELOPMENT.**—Section 50302(c) of title 46, United States Code, is amended—

(1) in paragraph (3)(A)(ii)—

(A) in subclause (II), by striking “or” after the semicolon; and

(B) by adding at the end the following:

“(IV) projects that improve the resiliency of ports to address sea-level rise, flooding, extreme weather events, including earthquakes, hurricanes and tsunami inundation, including projects for—